

OGC Has Reviewed

16 May 1967

The Honorable Bernard J. Bagert
Criminal District Court for the
Parish of Orleans
State of Louisiana

Dear Judge Bagert:

We were informed on 15 May 1967 that a subpoena duces tecum addressed to the Director of Central Intelligence was received by the U. S. Marshal in the District of Columbia and that the Marshal has returned the subpoena and the attached order to the clerk of your court as service could not be executed because of lack of jurisdiction.

We have been made aware of the contents of the subpoena and in particular that it requests production of a photograph stated to have been taken in early autumn 1963 of Lee Harvey Oswald as he departed from the Cuban Embassy in Mexico accompanied by a Latin individual. In the interest of comity and cooperation which is customary between the Federal Government and state authorities, I thought it would be appropriate to advise you of the following information:

Because of the publicity which has surrounded the Orleans Parish Grand Jury proceedings, we have recently carried out an exhaustive search of the files of the Central Intelligence Agency for any picture of Lee Harvey Oswald taken in Mexico. As a result of this search, I can state categorically that the files of this Agency do not contain, and never have contained, any such picture of Lee Harvey Oswald taken in Mexico and that we have no information whatsoever that any such photograph

ever existed. To the best of our knowledge and information, therefore, there is no such photograph. Furthermore, the photograph which is printed in the Warren Commission Report, Exhibit No. 237 in Volume XVI, never contained more than one figure, and the figure in the photograph depicts an individual who, to our knowledge, has not been identified. The circumstances of the filing of this photograph with the Warren Commission are set forth in affidavits on pages 468 and 469 of Volume XI, Hearings Before the President's Commission on the Assassination of President Kennedy. Consequently, we have no record of any photograph that answers in any way the description of the one we understand was requested in the subpoena.

I hope you will accept this information in this form in the spirit of cooperation in which it is proffered.

Sincerely,

s/

Lawrence R. Houston
General Counsel